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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BASOM, BLAINE T

ART UNIT PAPER NUMBER

2173

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/905,298	Applicant(s) WEBB, MARK STEPHEN	
	Examiner Blaine Basom	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-21 and 23-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13-21 and 23-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response to Arguments***

The Examiner acknowledges the Applicant's amendments to independent claims 1, 11, and 21. These amendments incorporate the subject matter of claims 2, 12, and 22, respectively, which have been cancelled. Regarding amended claims 1, 11, and 21, the Applicant argues that Janssen (U.S. Patent No. 6,512,529 to Janssen et al.), Wandersleben (U.S. Patent No. 6,853,390 to Wandersleben et al.), and Microsoft® (Microsoft Word 2000), presented in the previous Office Action, "all fail to teach, disclose or suggest displaying a complete dialog window by moving a cursor into a title bar that comprises a collapsed version of the full window" (see pages 10-11 of the Applicant's "Remarks"). The Applicant elaborates, asserting:

In addition, the amended independent claims (that merely incorporated limitations from prior dependent claims 2, 12, and 22) provide that the collapsed version of the dialog window is a title bar of the dialog window. Thus, as amended the claims now provide that when the cursor moves out of the complete window, the title bar of the complete window is shown. Further, to display the complete dialog window again, the user moves the cursor into the title bar.

The differences between the amended claims and Janssen clearly establish patentability of the invention. Applicants first note that for Janssen to display the complete opaque window, the user merely moves the cursor anywhere into the extent of the window. In other words, rather than forcing the user to move into the title bar, the user merely moves the cursor into any part of the area where the full invisible window resides, and the full opaque window is then displayed. Such a window display is different from the present invention where the user must move the cursor into the title bar and not anywhere within the extent of the full window. (See page 11 of the Applicant's "Remarks").

The Examiner respectfully disagrees with the Applicant regarding the limitations of the independent claims. That is, the Examiner respectfully disagrees with the Applicant's assertion that the independent claims "provide that the collapsed version of the dialog window is a

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title bar of the dialog window”, and with the Applicant’s assertion that the independent claims require that, “to display the complete dialog window again, the user moves the cursor into the title bar.” Rather, the independent claims only recite “displaying a collapsed version of the dialog window...wherein the collapsed version of the dialog window comprises a title bar of the dialog window; and displaying the complete dialog window when the cursor moves within the collapsed version of the dialog window without depressing a button of the dialog window.” The independent claims thus fail to explicitly recite that the collapsed version of the dialog window is *only* a title bar of the dialog window, whereby to display the complete dialog window, the user must move the cursor into the title bar. In fact, it is entirely within the scope of the independent claims for the collapsed version of the dialog window to comprise other displayed features in addition to a title bar, and for the complete dialog window to be displayed in response to moving the cursor within parts of the collapsed version of the dialog box other than its title bar. As shown in the previous Office Action, and again below, Janssen teaches such a collapsed version of a dialog window.

Regarding claim 7, the Applicant argues that Janssen teaches displaying, in the background, radar information that does not have any user interaction, and which would therefore not require focus. The Applicant thus concludes that Janssen teaches away from reverting the focus to another window when the collapsed version of the dialog window is displayed, as is claimed. The Examiner respectfully disagrees with this conclusion. The radar implementation described by Janssen is merely an example, and it is understood that the teachings of Janssen may be implemented in a plurality of environments, including those where background or other windows require user interaction. In fact, Janssen explicitly discloses that

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such teachings may be implemented within Microsoft Windows or Apple MacO/S operating systems (see column 4, lines 20-40), which as known in the art (and exemplified by the provided Microsoft® reference), may comprise background windows that require user input.

Accordingly, the Examiner respectfully maintains that the combination of Janssen and Microsoft, presented in the previous Office Action, teaches reverting the focus to another window when the collapsed version of the dialog window is displayed, as is claimed.

The Applicant's arguments have thus been considered, but are not persuasive.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-6, 9, 11, 13-16, 19, 21, 23-26, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,512,529, which is attributed to Janssen et al. (and hereafter referred to as "Janssen"). In general, Janssen provides a method for viewing a high volume of information within a computer display screen. This method entails viewing information organized within a plurality of windows, with windows overlapping other windows, whereby the user may designate particular windows to be invisible, in order to view information within overlapped windows (see column 2, line 29 – column 2, line 31). It is understood that the

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types of such windows are arbitrary, and may therefore comprise dialog windows, a common and well-known window type.

Specifically regarding claims 1, 11, and 21, Janssen teaches: displaying a window of a currently active application on a display device; determining a location of a cursor with respect to the window; displaying a collapsed version of the window, as an “invisible” window, when the cursor moves outside of the window without depressing a button of the window, wherein the collapsed version of the window consumes a smaller area of the display device than the complete window; and displaying the complete window when the cursor moves within the collapsed version of the window, without depressing a button of the window (for example, see column 2, line 33 – column 3, line 20; column 4, line 56 – column 5, line 9). Janssen further teaches that the collapsed version of the window may comprise a title bar of the window (for example, see column 2, line 59 – column 3, line 4). As asserted above, it is understood that such teachings may apply to dialog windows, a well-known type of window in the art. Janssen further discloses that such teachings may be implemented as software, presumably stored in computer memory and executed by a computer (see column 4, lines 5-40). Such computer memory comprising software to implement the teachings of Janssen is considered an “article of manufacture,” like described in claim 11. Such a computer executing the software to implement the teachings of Janssen is considered a system like that described in claim 21.

Concerning claims 3, 5, 13, 15, 23, and 25, Janssen teaches that the collapsed version of the may comprise only a title bar of the window (for example, see column 2, line 59 – column 3, line 4). As shown in figure 3 of Janssen, for example, such a title bar may comprise a size that exactly encompasses a title of the dialog window and its system buttons (see the title bar,

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designated by reference number 11 in figure 3). It is understood that the title bar is displayed in the same position when the window is collapsed (for example, see figures 2-4, and their associated description in column 4, line 43 – column 5, line 9). Accordingly, Janssen teaches that the collapsed version of the window may be displayed such that system buttons, within the title bar of the window, are in the same position in the collapsed version of the window as when the complete window is displayed, wherein the system buttons do not move away from the cursor when the window collapsed or expands.

With respect to claims 4, 6, 14, 16, 24, and 26, Janssen discloses that the user may make a window invisible, i.e. collapsed, simply by moving a cursor off the window, and may make the window visible again simply by moving the cursor over the collapsed version of the window (for example, see column 2, line 59 – column 3, line 20; column 4, line 56 – column 5, line 9). Accordingly, it is understood that the collapsed version of the window is displayed in response to the cursor moving outside of the window without additional action by the user, and the complete window is displayed when the cursor moves within the collapsed version of the window without additional action by the user.

Regarding claims 9, 19, and 29, Janssen discloses that the title bar of each window may comprise a button which may be activated to select a particular display mode for the window. In one such display mode, referred to as the “Normal” display mode, the associated window behaves as described above: the window collapses when the cursor is moved off the window, and becomes visible when the cursor moves over the collapsed version of the window (see column 3 lines 5-29; and column 5, lines 9-48). In another display mode, referred to as the “Locked” display mode, the associated window always remains visible, as a complete window (see column

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3 lines 5-29; and column 5, lines 9-48). Accordingly, Janssen teaches that the ability to display a collapsed version of a window is controlled by a selectable system icon displayed in a title bar of that window: when the selectable system icon is selected as active, i.e. in a Normal display mode, the ability to display a collapsed version of the window through further cursor movement without depressing a button of the window is active; and when the selectable system icon is not selected and is inactive, i.e. in a Locked display mode, the complete window is displayed and the ability to collapse the dialog window through further cursor movement without depressing a button of the window is disabled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 17, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over The U.S. Patent of Janssen, which is described above, and also over the Microsoft Word 2000 application, presented in a previous Office Action. As described above, Janssen teaches a method like that of claim 1, an article of manufacture like that of claim 11, and a system like that of claim 21, whereby the user may collapse a dialog window simply by moving a cursor off of the window. Janssen, however, does not explicitly disclose that the focus is reverted to another window of the currently active application without additional action by the user when the collapsed version of the dialog window is displayed, as is recited in claims 7, 17, and 27.

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Nevertheless such functionality is well known in the art. For example, screenshot 2 of Word shows a dialog box open in Word, and screenshot 3 is the result of minimizing the dialog box of screenshot 2. No further action was taken, and it is clear that the displayed window, Document 1, of Word has focus as evidenced by the depressed representation in the taskbar and that the collapsed version of the dialog window is displayed (the rightmost application displayed in the taskbar is screenshot 3).

Therefore, it would have been obvious to one of ordinary skill in the art to automatically revert focus to another window of the currently active application of Janssen when the collapsed version of the dialog window is displayed, as is taught by Word, in order to eliminate the need to click on the window to restore focus.

Claims 8, 10, 18, 20, 28, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over The U.S. Patent of Janssen, which is described above, and also over U.S. Patent No. 6,583,390, which is attributed to Wandersleben et al. (and hereafter referred to as "Wandersleben"). As described above, Janssen teaches a method like that of claim 1, an article of manufacture like that of claim 11, and a system like that of claim 21, whereby the user may collapse a dialog window simply by moving a cursor off of the window. Janssen, however, does not explicitly disclose that the collapsed version of the dialog window is displayed when the cursor moves outside of the dialog window for a defined minimum time period, defined by an application that displays the dialog window, as is expressed in claims 8, 18, and 28. Also, Janssen also does not explicitly disclose that the dialog window is a modeless dialog window, as is recited in claims 10, 20, and 30.

Like Janssen, Wandersleben presents a method similar to that of claim 1, whereby a user may collapse a dialog window simply by moving a cursor off of the window (for example, see column 2, lines 20-49). Regarding the claimed invention, Wandersleben discloses that the user may specify a grace period defining the amount of time required for the cursor to be off of the window, before the window collapses (for example, see column 5, lines 33-51; and column 6, lines 30-57). Additionally, Wandersleben discloses that such teachings may be applied to non-model, i.e. modeless dialog windows (for example, see column 2, lines 20-49).

It would have therefore been obvious to one of ordinary skill in the art, having the teachings of Janssen and Wandersleben before him at the time the invention was made, to modify the method of Janssen such that the user may define a grace period, like taught by Wandersleben, as this would prevent the user from inadvertently collapsing dialog boxes, as is demonstrated by Wandersleben. Additionally, it would have been obvious to apply the method of Janssen to modeless dialog boxes, like taught by Wandersleben, because there exists a need to temporarily hide such modeless dialog boxes, as is taught by Wandersleben.

Conclusion

Applicant's amendment necessitated any new ground of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb
12/22/2005

